REMARKS

In accordance with the foregoing, claims 1 and 12-13 have been amended to overcome Examiner's objections without narrowing the scope thereof, claim 2 has been amended to incorporate the allowable subject matter of claim 3, claim 3 has been amended to depend from claim 1, claims 5 and 8 have been amended to clarify the subject matter thereof, and claims 1-20 are pending and under consideration. No new matter is presented in this Amendment.

DOUBLE PATENTING

Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 19 of U.S. Patent 6,744,713. Claims 5-7 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 32, 36, and 40 of U.S. Patent 6,744,713. Claims 8-11 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14 and 15 of U.S. Patent 6,744,713. Claims 12 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent 6,744,713. Claims 13-16, 18 and 20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 9 of U.S. Patent 6,744,713.

Since claims 1, 5-7, 8-11, 12-16, 18, and 20 of the instant application have not yet been indicated as allowable, it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature. As such, it is respectfully requested that Applicants be allowed to address any provisional obviousness-type double patenting issues remaining once the rejections of the claims under 35 U.S.C. § 102 and 35 U.S.C. § 103 are resolved.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1 and 13 are rejected under 35 U.S.C. §102(e) as being anticipated by Ro et al. (U.S. Patent 6,288,989), hereinafter "Ro." The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 1, it is noted that amended claim 1 now recites that "a plurality of identical write protection information is stored in physically separate

locations." In contrast, Ro teaches overwriting prevention information that is stored just once (i.e., not a plurality of overwriting prevention information) for each program. Though Ro discloses the recording of a plurality of overwrite prevention information such that overwrite prevention information is recorded for each recorded audio/video program (FIG. 6 and column 8, lines 13-22), Ro does not teach a recording of a plurality of identical overwrite prevention information (i.e., a plurality of overwrite prevention information for each program). That is, each recorded audio/video program has only one corresponding recording of overwrite prevention information (FIG. 6 and column 8, lines 13-22), as opposed to a plurality of corresponding recordings (i.e., identical plural storage) of the overwrite prevention information as in claim 1. Similarly, each recorded audio/video program has only one corresponding recording of a password (FIG. 6), as opposed to a plurality of corresponding recordings (i.e., identical plural storage) of the password. Notwithstanding, it is noted that the password taught by Ro is not write protection information controlling a writing of data, but is used to prevent an unauthorized change to the write protection information (column 8, lines 41-44). Therefore, the Applicants respectfully submit that Ro fails to disclose, implicitly or explicitly, a storing of a plurality of identical write prevention information, as recited in claim 1.

Regarding the rejection of independent claim 13, it is noted that claim 13 recites a recording medium that "stores at least two write protection information... at the same time." In contrast, Ro teaches recording overwrite prevention information, from among the plurality of overwrite prevention information, when the corresponding audio/video program is recorded (column, 8, lines 31-36). That is, the plurality of overwrite prevention information is not recorded at the same time, as in claim 13, but rather at separate times based on the recording of the corresponding audio/video program. Therefore, the Applicants respectfully submit that Ro fails to disclose, implicitly or explicitly, a storage of a plurality of write prevention information at the same time, as recited in claim 13.

Claims 8 and 9 are rejected under 35 U.S.C. §102(e) as being anticipated by Takahasi (U.S. Patent 6,236,541), hereinafter "Takahasi." As a point of clarification, the instant application claims priority to Korean Patent Application No. 98-54190, filed on December 10, 1998 in the Korean Intellectual Property Office. A certified copy of Korean Patent Application No. 98-54190 was filed in the United States Patent and Trademark Office as acknowledged by the Examiner on page 1 of the Office Action. Further, enclosed is an English translation of Korean Patent Application No. 98-54190 along with a statement from the translator in

compliance with 37 CFR 1.55(a)(4). As such, it is respectfully submitted that the Applicants have established a date of invention of at least December 10, 1998. MPEP 201.15. Since Takahasi has a U.S. filing date of April 23, 1999, which is after the date of invention of the present application, Takahasi does not qualify as prior art under 35 U.S.C. §102(e). Since Takahasi does not appear to otherwise qualify as prior art, it is respectfully requested that Examiner withdraw the rejection of claims 8 and 9 as being anticipated by Takahasi.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 2 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ro et al. (U.S. Patent 6,288,989), hereinafter "Ro," and further in view of Yonemitsu et al. (U.S. Patent 5,793,779), hereinafter "Yonemitsu." The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 2, it is noted that amended claim 2 now incorporates the allowable subject matter of claim 3, which is rejected only on nonstatutory double patenting grounds. Therefore, Applicants respectfully request that the 103(a) rejection be withdrawn. In particular, Applicants note that amended claim 2 has been amended to incorporate a feature of claim 3, which the Examiner does not reject in view of the above combination. Therefore, the Applicants respectfully submit that Ro in view of Yonemitsu fails to disclose, implicitly or explicitly, the invention as recited in claim 2.

Regarding the rejection of claim 4, it is noted that claim 4 depends from claim 2 and is, therefore, allowable for at least the reasons set forth above.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

ALLOWABLE SUBJECT MATTER:

Claims 17 and 19 are objected to as being dependent upon a rejected claim based on obvious double patenting, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Examiner's request (as above) that the objection to claim 17 and 19, which depend from claim 13, be addressed once the rejection of claim 13 under 35 U.S.C. § 35 U.S.C. § 102 is resolved.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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